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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/546,000	06/14/2006	Hirofumi Hamada	50026/054001	8449

21559 7590 08/03/2007
CLARK & ELBING LLP
101 FEDERAL STREET
BOSTON, MA 02110

EXAMINER

HILL, KEVIN KAI

ART UNIT	PAPER NUMBER
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1633

MAIL DATE	DELIVERY MODE
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08/03/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10546000	6/14/2006	HAMADA ET AL.	50026/054001

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EXAMINER

Kevin K.. Hill, Ph.D.

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20070727

DATE MAILED:.

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Commissioner for Patents

See Page 2

Notice of Non-Responsive Amendment	Application No.	Applicant(s)	
	10/546,000	Hamada et al	
	Examiner	Art Unit	
	Kevin K. Hill, Ph.D.	1633	2 of 2

Detailed Action

Applicant has responded to the Requirement for Restriction, mailed May 29, 2007. In the response filed on June 29, 2007, Applicant did not explicitly elect a minus strand RNA viral species from the genus of viral species disclosed in the specification (e.g. pg 12, line 25-pg 14, line 2). Applicant is referred to page 4 of the Requirement for Restriction, wherein Applicant is required to elect a single disclosed viral vector species for prosecution on the merits.

Although the Examiner attempted a species election by telephone via Applicant's representative, James DeCamp at 617-428-0200, Applicant has requested written communication.

See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin K. Hill, Ph.D. whose telephone number is 571-272-8036. The examiner can normally be reached on Monday through Friday, between 9:00am-6:00pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph T. Woitach can be reached on 571-272-0739. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Kevin K. Hill

[Signature]
Q. JANICE LI, M.D.
PRIMARY EXAMINER